

**REMARKS**

Claims 1 through 20 are in the application as filed.

Claims 1 through 20 are subject to a restriction requirement.

Claims 1 through 20 are amended to more clearly set out the invention. No new matter has been added.

The Examiner identifies three invention groups: Group I – claims 1-14 “drawn to a magnetically enhanced plasma source apparatus”; Group II- claims 15-19 “drawn to a plasma source apparatus”; and Group III – claim 20 “drawn to a method of producing a plasma”.

The restriction requirement is respectfully traversed. It appears that the Examiner has based the restriction requirement solely on the basis of the preamble of the claims. It is submitted that the Examiner has not properly reviewed the claims. Each and every one of the claims recites structure or method that includes use of magnetic fields and therefore are so closely related as to not require restriction.

The Examiner's reliance on the Yan et al reference is misplaced. The structure of Yan et al is substantially different from that of applicant's claims. By way of non-limiting example, Yan does not show, teach or suggest a said magnetic field portion having a strength strong enough to magnetize electrons; and an electric field extending to said second surface and said electric field penetrating into an electron confining region of said magnetic field as set forth in claims 1-14 and 20. Yan does not show, teach or suggest a mirror magnetic field or a containment region as set forth in claims 15-19.

Accordingly, the Examiner's reliance upon Yan et al as a basis for a restriction requirement is misplaced. In the event that the Examiner sets forth a claim rejection of any claims based upon Yan et al, applicant will provide a more complete traversal of the rejection. However, the Examiner has not set forth a specific claim rejection in the Office Action. More specifically, the Examiner appears to not have complied with PCT rule 13.3 in making the restriction requirement.

Unity of invention exists in the claims based upon the magnetic field strength at the substrate surface that is strong enough to magnetize electrons. This special technical feature is not shown in the prior art. when there is a technical relationship among the claimed inventions involving one or more special technical features.

The Opinion of the ISA in considering the Yan et al reference clearly states that there is no indication that the magnetic field passes through both the target and the substrate and there is no indication in Yan that the magnetic field even exists at the electrode surface.

For the foregoing reasons, the restriction requirement is traversed.

Applicant provisionally elects to proceed with Group I, claims 1-14, with traverse.

Applicant further provisionally elects to proceed with Species A4 (claim 9) and Species B1 (claim 11). Claims 1 and 15 are generic and are allowable over the prior art as discussed above.

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Respectfully submitted,  
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